

### **REMARKS/ARGUMENT**

#### **Description of amendments**

Claims 3, 4, and 7-10 are now pending and under examination. Applicant has amended claims 3, 4, 7, and 8, and added claims 9 and 10. No new matter has been added.

The new claims are supported by the specification as filed (see, for example, page 1, line 15 to last line).

#### **Interview summary**

Applicant's attorney greatly appreciates the courtesy extended by Examiner Arnel Lavarias during the course of an interview conducted on December 15, 2004.

In the interview, the Examiner and Applicant's attorney discussed possible amendments to claims 3 and 4 and the references cited against claims 7 and 8.

#### **Objection to the abstract**

The abstract was objected to as being too long. Applicant has submitted a new, shorter abstract.

#### **Objection to the claims**

The claims were objected to for containing typographic errors. Applicant has amended the claims to correct the typographic errors.

#### **Rejection under 35 U.S.C. §102**

Claim 3 was rejected under 35 U.S.C. §102(e) as being anticipated by Tsuji (U.S. Patent 6,285,855). For the following reasons, Applicant respectfully requests reconsideration and withdrawal of the rejection with respect to the amended claim 3.

Amended claim 3 recites that "homogenization occurs in an intermediate image plane that is outside of an object, and is performed only by the homogenizing optical system." As discussed in the interview, Tsuji does not disclose this feature. In Tsuji, homogenization

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takes place at at least two places: the light exit surface of the light mixing means (4) (see column 5, lines 19-25) and a predetermined plane (see column 5, lines 29-43). Accordingly, amended claim 3 is not anticipated by Tsuji.

Rejections under 35 U.S.C. §103(a)

Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Tsuji in view of Pedrotti ("Introduction to Optics"). For the same reasons as discussed in connection with the rejection of claim 3, Applicant respectfully submits that amended claim 4 is patentable over Tsuji and Pedrotti.

Claim 7 was rejected under 35 U.S.C. §103(a) as being unpatentable over Suzuki (U.S. Patent 6,456,377) in view of Suzuki (U.S. Patent 5,608,575) and Tsuji. For the following reasons, Applicant respectfully requests reconsideration and withdrawal of the rejection with respect to the amended claim 7.

As discussed in the interview, none of the references cited in this rejection discloses a system that can measure the values of X-Y coordinates of a feature on a substrate. Since amended claim 7 recites this feature, it cannot be rendered obvious by the cited references.

Claim 8 was rejected under 35 U.S.C. §103(a) as being unpatentable over Suzuki (U.S. Patent 6,456,377) in view of Suzuki (U.S. Patent 5,608,575) and Tsuji, and further in view of Pedrotti. For the same reasons as discussed in connection with the rejection of claim 7, Applicant respectfully submits that amended claim 8 is patentable over the cited references.

New claims 9 and 10 are also patentable because they depend from patentable independent claims (i.e. claims 7 and 8).

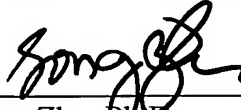
In light of the foregoing remarks, this application is considered to be in condition for allowance, and early passage of this case to issue is respectfully requested. If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

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If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #011270.49970D1).

December 17, 2004

Respectfully submitted,



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